

## Message Text

LIMITED OFFICIAL USE

PAGE 01 BUDAPE 00492 171315Z

44

ACTION EUR-12

INFO OCT-01 ISO-00 VO-03 SCA-01 INSE-00 DHA-02 ORM-02 H-02

CIAE-00 INR-07 NSAE-00 L-03 JUSE-00 /033 W

----- 115772

R 170932Z FEB 76

FM AMEMBASSY BUDAPEST

TO SECSTATE WASHDC 5279

LIMITED OFFICIAL USE BUDAPEST 0492

E.O. 11652: N/A

TAGS: CVIS, PFOR, HU

SUBJ: "U.S.-HUNGARIAN RECIPROCITY" IN DIVIDED FAMILIES CASES

1. DURING FEBRUARY 12 DISCUSSION ON  
DIVIDED FAMILIES BETWEEN EMBASSY'S CONSULAR  
SECTION CHIEF AND EGYED, MFA CONSULAR DEPARTMENT  
(MEMCON BEING POUCHED), LATTER OPINED THAT EVIDENCE OF  
FAVORABLE U.S. ATTITUDE TOWARD REUNIFICATION OF  
HUNGARIAN DIVIDED FAMILIES - I.E. REPATRIATION OF  
PERSONS IN U.S. TO FAMILIES IN HUNGARY -/  
OULD BE  
VERY SIGNIFICANT IN INCLING INTERIOR MINISTRY TO LOOK  
FAVORABLY ON EMIGRATION REQUESTS OF FAMILY MEMBERS  
SEEKING TO LEAVE HUNGARY TO JOIN CLOSE RELATIVES IN U.S.

2. EGYED STATED THERE HAS BEEN PENDING FOR SOME TIME  
IN THE U.S. COURTS AN APPARENT CHILD-CUSTODY CASE  
INVOLVING CHILD'S BEING PREVENTED FROM RETURNING TO  
HUNGARY AS CHILD'S HUNGARIAN KIN WISH. EGYED  
SAID GOH HAD CONSIDERED APPROACHING USG OFFICIALLY ON  
THE CASE, BUT DEFERRED DOING SO PENDING OUTCOME OF  
THE MATTER IN U.S. COURTS.

3. EGYED DECLINED TO IDENTIFY THE CASE DESPITE CONSUL'S  
OFFER TO LOOK INTO IT, ON GROUNDS THAT GOH NOT YET READY  
TO BRING THE MATTER UP OFFICIALLY. EGYED MENTIONED THAT  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BUDAPE 00492 171315Z

SHOULD THE MATTER REACH THE OFFICIAL LEVEL, GOH WOULD HOPE

USG WOULD APPLY HELSINKI PRINCIPLE ON REUNIFICATION OF FAMILIES AS FORTHRIGHTLY AS USG IS REQUESTING THE GOH TO DO IN OUR OWN DIVIDED-FAMILY REPRESENTATIONS.

4. CONSUL REPLIED THAT BOTH U.S. AND HUNGARY SIGNED HELSINKI DOCUMENT AND NOT HUNGARY ALONE, AND THAT USG WOULD WEIGH ANY GOH APPROACH IN THE CASE WITH DUE SERIOUSNESS. CONSUL ADDED THAT READING BETWEEN THE LINES, MATTER APPEARED TO BE A CHILD-CUSTODY DISPUTE IN A STATE COURT WHICH WOULD BE AKIN TO A HUNGARIAN GUARDIANSHIP DISPUTE HERE, TOTALLY DIFFERENT THAN PASSPORT/EXIT VISA REFUSAL BY A GOVERNMENT AGENCY. CONSUL REMINDED EGYED OF LACK OF U.S. EXIT VISA REQUIREMENT IN GENERAL, AND CAUTIONED AGAINST COMPARING APPLES AND ORANGES.

5. COMMENT: EGYED CASUALLY MENTIONED IN LOWER KEY WHAT WAS PERHAPS THE SAME CASE SOME MONTHS AGO, BUT THEN AS NOW DECLINED TO PROVIDE SPECIFICS. CONSUL AT THAT TIME CITED EXCLUSIVE JURISDICTION OF EACH U.S. STATE IN CHILD CUSTODY MATTERS, AND FACT THAT U.S. FEDERAL AUTHORITIES ARE POWERLESS TO REQUIRE AN INDIVIDUAL'S DEPARTURE AGAINST JUDICIAL JUDGEMENTS BY A STATE COURT. IF HUNGARIANS ARE TOYING WITH THE IDEA OF LINKING AN APPARENTLY SIGNIFICANTLY BREWING LEGAL CASE IN THE U.S. WITH COOPERATION ON OUR OWN DIVIDED FAMILIES CASES, IT MAY NOT BE TOO EARLY FOR THE DEPARTMENT TO BEGIN CONTEMPLATING SUBMITTING AN AMICUS CURIAE BRIEF WITH REFERENCE TO THE SALIENT U.S. INTEREST IN THOSE MORE NUMEROUS ONES. FYI: CASE BRINGS TO MIND 1970-71 ONE OF HUNGARIAN CHILD TAMAS VERES, PARENTS WERE DIVORCED IN HUNGARY, MOTHER SUBSEQUENTLY MARRIED A USC AND EMIGRATED TO U.S. HUNGARIAN COURTS GAVE FATHER CUSTODY OF CHILD. FATHER TOOK CHILD TO U.S. FOR A VISIT TO HIS MOTHER, WHO "KIDNAPPED" HIM. HUNGARIANS TOOK WITH ILL GRACE DEPARTMENT'S EXPLANATIONS THAT U.S. STATE COURTS WERE COMPETENT IN THE SUBSEQUENT CHILD-CUSTODY CASE TO THE EXCLUSION OF USG. CHILD EVENTUALLY ADJUSTED STATUS AND REMAINED IN U.S. AND AS OF EARLY 1971 GOH APPEARED TO CONSIDER THE MATTER CLOSED. END FYI.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 BUDAPE 00492 171315Z

6. ACTION REQUESTED: PLEASE ADVISE ABOUT THIS NAMELESS PENDING HUNGARIAN "DIVIDED FAMILY" CASE IN THE U.S. MCAULIFFE

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** REFUGEES, REFUGEE RESETTLEMENT, REPATRIATION, DEPENDENTS, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 FEB 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** morefirh  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976BUDAPE00492  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760058-1051  
**From:** BUDAPEST  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760244/aaaabmri.tel  
**Line Count:** 110  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EUR  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** morefirh  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 16 APR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <16 APR 2004 by CollinP0>; APPROVED <01 JUL 2004 by morefirh>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** "U.S.-HUNGARIAN RECIPROCITY" IN DIVIDED FAMILIES CASES  
**TAGS:** CVIS, PFOR, HU  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006